

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

GARY T. WINNETT, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
CATERPILLAR INC.,)	
)	Case No. 3:06-cv-00235
Defendant/Third-Party Plaintiff,)	
)	Hon. Aleta A. Trauger
v.)	
)	Mag. Judge Joe B. Brown
INTERNATIONAL UNION, UAW, et al.)	
)	
Third-Party Defendants.)	

CATERPILLAR'S MOTION FOR CERTIFICATION OF FINAL JUDGMENT

Defendant Caterpillar Inc. hereby moves for certification of final judgment on the Court's dismissal of Caterpillar's third-party complaint pursuant to Federal Rule of Civil Procedure 54(b).

The bases for Caterpillar's motion are set forth in the accompanying memorandum of law.

WHEREFORE, Caterpillar prays that the Court grant it final judgment and grant it such other and further relief as is just and proper.

Dated: April 25, 2011

Respectfully submitted,

CATERPILLAR INC.

By: s/ Joseph J. Torres
One of Its Attorneys

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CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Defendant Caterpillar Inc., hereby certifies that on April 25, 2011, a true and correct copy of the foregoing MOTION FOR CERTIFICATION OF FINAL JUDGMENT was filed electronically with the Court. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

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